

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

STACEY M. LITTLETON)	
Plaintiff,)	
v.)	Case No. 3:18-cv-00590
)	Judge Campbell/ Frensley
SIGMA ADVANCE SOLUTIONS, INC.,)	
ET AL.,)	
Defendants.)	

REPORT AND RECOMMENDATION

Pending before the Court is a Motion to Dismiss for Failure to Prosecute and Failure to Comply with a Court Order in this matter. Docket No. 24. The Court has Granted the Plaintiff's motion to extend the deadlines for discovery and dispositive motions in the scheduling order and established a final deadline for Plaintiff to respond to Defendants' outstanding written discovery requests. In light of this, the undersigned recommends that Defendants' Motion to Dismiss (Docket No. 24) be DENIED without prejudice. ¹

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days from receipt of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days from receipt of any objections filed in this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L.Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986).

¹ Local Rule 7.01(b) permits the Court to act on a motion prior to the time allowed for response. The Court does not believe it necessary to wait 21 days for this matter to be briefed in light of the issues.

s/Jeffery S. Frensley

JEFFERY S. FRENSLEY
U. S. Magistrate Judge